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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

MARY JENNINGS HEGAR, JENNIFER
HUNT, ALEXANDRA ZOE BEDELL,
COLLEEN FARRELL, AND SERVICE
WOMEN'S ACTION NETWORK,

Plaintiffs,

vs.

ASHTON B. CARTER, Secretary of Defense,¹

Defendant.

Case No. 12-CV-06005 EMC

**STIPULATED REQUEST AND
[PROPOSED] ORDER FOR
CONTINUANCE OF FURTHER CMC and
UPDATED CMC STATEMENT**

Judge: Hon. Edward M. Chen

Case Management Conference: Oct. 8, 2015
Time: 10:30 a.m.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Ashton B. Carter has been substituted in his official capacity for Chuck Hagel as Secretary of Defense.

STIPULATION

Plaintiffs Mary Jennings Hegar, Jennifer Hunt, Alexandra Zoe Bedell, Colleen Farrell and Service Women's Action Network and Defendant Ashton B. Carter, Secretary of Defense ("Secretary") (collectively, "the parties"), by and through their respective counsel, submit this Stipulated Request and Proposed Order for a continuance of the deadline for the parties' updated joint Case Management Conference (CMC) Statement to November 10, 2015, and further CMC to November 19, 2015. The joint CMC Statement is currently due October 1, 2015, and the further CMC is currently scheduled for October 8, 2015. Defendant submits that the following facts and circumstances set forth in the attached Declaration of counsel for Defendant Caroline Lewis Wolverton establish good cause for the requested continuance as follows:

1. On July 30, 2015, the Court scheduled a further CMC in this matter for October 8, 2015, and ordered the parties to meet and confer regarding Defendants' accession, assignment and training procedures and policies and thereafter provide an updated joint CMC Statement by October 1, 2015. ECF No. 60 (Aug. 4, 2015).

2. September 30, 2015 is the deadline for the Military Departments and U.S. Special Operations Command to present final recommendations on remaining closed occupations and positions to the Secretary of Defense. That date is also the deadline for each Military Department Secretary to certify that all occupational standards in his/her Department are gender-neutral and in compliance with all applicable public laws.

3. Defendant expects that the work during the weeks prior to September 30, 2015 associated with finalizing recommendations on remaining closed positions and ensuring that all occupational standards are gender-neutral and in compliance with all applicable public laws will be substantial.

4. Defendant believes that simultaneously completing the ordered meet-and-confer in order to present a joint CMC statement by October 1, 2015, and if appropriate an accompanying declaration, would strain the resources that the military must devote to the work of finalizing recommendations on remaining closed positions and ensuring that all occupational standards are gender-neutral and in compliance with all applicable public laws.

1 5. In light of the foregoing, Defendant respectfully requests that the Court continue
2 the deadline for the further CMC to November 19, 2015 and the parties' updated joint CMC
3 Statement to November 10, 2015. Defendant requested and received Plaintiffs' stipulation to this
4 request.²

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6 DATED: September 10, 2015

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Acting Assistant Attorney General
MELINDA HAAG
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Deputy Branch Director

11 /s/ Caroline Lewis Wolverson

CAROLINE LEWIS WOLVERTON
U.S. Department of Justice
Attorneys for Defendant ASHTON B. CARTER

14
15 DATED: September 10, 2015

MUNGER, TOLLES & OLSON LLP

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17 By: /s/ Rosemarie T. Ring

ROSEMARIE T. RING

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27 ² November 11, 2015 is Veterans Day, and the parties are in agreement that it would be preferable
28 to have the CMC statement completed before the federal holiday.

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Caroline Lewis Wolverton, am the ECF User whose identification and password are being used to file this Stipulated Request and [Proposed] Order for Continuance of Further Case Management Conference and Updated Case Management Statement. In compliance with General Order 45.X.B, I hereby attest that all signatories have concurred in this filing.

/s/ Caroline Lewis Wolverton

[~~PROPOSED~~] ORDER

Pursuant to the stipulated request, and based on good cause shown, it is hereby

ORDERED that the Stipulated Request for Continuance of Further Case Management Conference and Updated Case Management Statement is hereby GRANTED; and it is further

ORDERED that the Further Case Management Conference is hereby CONTINUED to November 19, 2015; and it is further

ORDERED that the deadline for the parties' Updated Joint CMC Statement is CONTINUED to November 10, 2015.

Dated: 9/14/15

